

24.08.2023
ML. 427
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3243 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **516** of **2022** dated **20.06.2022** under Sections **363/365/120B** IPC.

And

In the matter of: **Sakil Dafader & Ors.**

....petitioners.

Mr. Sumanta Das

...for the petitioners.

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... for the State.

1. Heard learned Counsel for the parties.
2. The earlier application for anticipatory bail was rejected on the sole ground that the victim girl had not been recovered by then. It is fairly submitted at the Bar that one Sakib Dafader is the principal accused who according to the statement of the victim under Section 164 Cr.P.C., is her lover and with whom she had eloped out of her own volition.
3. So far as the present petitioners are concerned, there is no allegation of specific overt act against them.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Tehatta, Nadia in G.R. Case arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail each of the petitioner shall be released on bail on such terms and conditions as

deemed just and proper in the facts and circumstances.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3243 of 2023** is disposed of.
7. Learned Additional Chief Judicial Magistrate, Tehatta, Nadia is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

